

ORDINANCE NO. _____

ANIMAL CONTROL ORDINANCE FOR DECATUR COUNTY, INDIANA

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF DECATUR
COUNTY, INDIANA:

Section 1. Ordinance No. 2001-7 Commissioners, Impoundment of Stray Animals, is repealed.

Section 2. Animal Control Employees.

A) The Animal Control Manager and staff are authorized to uphold, carry out and supervise the enforcement of this ordinance within Decatur County. The Animal Control Manager and staff are authorized to apprehend and impound any animal that strays or is at large, and to impound any animal when the Animal Control Manager or staff have probable cause to believe that the animal has been treated cruelly, inhumanely, neglected or used by the owner/agent in a fighting contest.

B) The Animal Control Manager and staff are authorized to issue official warnings or notices of ordinance violation for violations of this chapter.

Section 3. Owner Responsibility.

A) Except for the application of customary practices of agriculture relating to husbandry and livestock care, every person who owns, possesses, or harbors an animal within the county shall see that the animal:

1. Is kept in a clean, sanitary and healthy manner and is not confined so as to be forced to stand, sit or lie in its own excrement.
2. Is not restrained by a rope, wire, chain or other metal collar attached directly to the neck.
3. If chained or tied outside, shall have available at all times for that animal, a chain, leash or lead, not less than ten feet or two and one-half lengths of the animal, whichever is the greater. However, this chain, leash or lead cannot allow the animal to enter onto another person's property or onto the public right-of-way.
4. Has sufficient and wholesome food and water, proper for that species of animal.
5. Has a proper and adequate structure provided that will protect that animal from all elements of the weather and will allow that animal to stand, sit and lie down without restriction.
6. If ill, diseased or injured, receives care as necessary to prevent the transmittal of the disease to other animals or prolong the suffering of the injured animal.
7. Is not beaten, cruelly treated, overloaded, overworked or otherwise

abused.

8. Is not physically altered in any manner by anyone other than a veterinarian with the exception of tattooing and grooming.

B) Every female animal in heat or rutting shall be restrained within a building or secure enclosure so that the animal cannot come into contact with a male animal of the same species except for planned breeding.

C) Dogs and cats shall not be allowed to run at large. Any dog or cat which has strayed beyond the premises of its owner or onto a public street, alley, or highway, which is not under the reasonable control of some person, is declared to be a public nuisance and shall be impounded. It is a violation of this ordinance for the owner of a dog or cat to allow the animal to stray beyond the premises of its owner or onto a public street, alley, or highway unless the animal is under the control of some person

D) No domestic animal shall be allowed to cause a nuisance, by damaging property, chasing or attacking persons or vehicles, running at large, or otherwise interfering with persons or other domestic animals on property other than that of the owner.

Section 4. Impoundments.

A) Any dog or cat found running at large shall be impounded by the Animal Control Authority in an animal shelter and confined in a humane manner. Dogs and cats not claimed by their owners within three (3) business days in which the shelter is open to the public shall be deemed abandoned and may be adopted out or otherwise disposed of by the Greensburg-Decatur County Animal Control Board.

B) When a dog or cat is found running at large and its ownership is verified by the Animal Control Authority, the Animal Control Authority may exercise the option of serving the owner with a notice of violation and fine in lieu of or in addition to impounding the animal.

C) Any animal impounded or confined for rabies quarantine, evidence, or other purpose may be redeemed by its owner upon payment of a boarding fee and any expenses related to pick-up and care of the animal prior to release. No animal required to be vaccinated under Indiana law may be redeemed until provisions for such vaccinations have been fulfilled. Payment of impoundment fees is not considered to be in lieu of any fine or penalty.

Section 5. Adoption.

An adoption fee shall be assessed at the time of adoption. No dog or cat shall be released for adoption as a pet without being neutered.

Section 6. Interference.

No person shall interfere with, hinder, or molest any agent of the Greensburg-Decatur

County Animal Control Board in the performance of any duty.

Section 7. Kennels.

A) Kennels shall be subject to inspection by the Animal Control Authority and must meet standards for health and cleanliness as set by that authority. The Animal Control Board is authorized to adopt a schedule of fines for violations of these standards, and to impose fines for violations separately or in addition to impounding animals.

B) The number of animals which constitute a kennel, location restrictions, and construction requirements for kennels shall be determined by the provisions of the county zoning and building ordinances.

Section 8. Fines, Fees, and Penalties.

A) The Animal Control Board is authorized to adopt a schedule of adoption fees, impoundment fees and fines for violations of this ordinance, subject to approval by the Board of County Commissioners, which shall be posted at the Animal Shelter and at the Decatur County Courthouse.

B) All fines and impoundment redemption expenses collected by Greensburg-Decatur County Animal Control shall be deposited into the Decatur County General Fund. Adoption fees shall be deposited in the spay/neuter program fund and are to be used to pay the costs of vetting animals prior to adoption.

C) Payment of ordinance violation notices shall be made at the Greensburg-Decatur County Animal Shelter, 1635 West Park Road, Greensburg, Indiana 47240 within ten (10) days from date of issuance.

D) For purposes of determining fines, fees, and penalties for any subsequent violations, violations prior to the enactment of new or revised ordinances shall apply.

E) A person who has accumulated 3 or more written violations within 365 days may be declared to be a habitual offender and may be subject to one or more of the following: (a) having animal(s) immediately confiscated by the Animal Control Officer; or (b) a notice violation of two hundred fifty dollars (\$250.00).

F) A person may appeal any notice, order, or fine issued by the Animal Control Officer or other employee of the Department by sending a written notice within 72 hours by certified mail to: Greensburg Decatur County Animal Control Board, 1635 West Park Road, Greensburg, Indiana 47240. Any appeal must include a mailing address and telephone number for the Board's use in scheduling an appeal. The Animal Control Board shall schedule and hold a hearing on a written appeal within thirty (30) days after the appeal has been received at the Animal Shelter.

Section 9. Headings. The headings or titles of the several sections in this ordinance shall be

solely for convenience of reference and shall not affect the meaning, construction or effect of this ordinance.

Section 10. Effective Date. This ordinance shall be in full force and effect from and after its adoption and publication.

Adopted this date: _____.

BOARD OF COMMISSIONERS OF DECATUR COUNTY

Auditor